

1 **Part I - General**

2 **Article 1 - Purpose and Authority**

3 **9VAC20-30-10. [Reserved]**

4 **9VAC20-30-20. Purpose of chapter.**

5 Section 10.1-1433 et seq. of the Code of Virginia, makes available to the governing body of a  
6 host community a reasonable sum from the technical assistance fund. This chapter establishes  
7 procedures for obtaining funds and guidelines for their use.

8 **Article 2 - Definitions**

9 **9VAC20-30-30. Definitions.**

10 Section 10.1-1433 et seq. of the Code of Virginia defines several words and terms which are  
11 used in this chapter. Unless the context clearly indicates otherwise, those words and terms will  
12 have the same meaning when used in this chapter. In addition, the following words and terms,  
13 when used in this chapter, shall have the following meanings, unless the context clearly indicates  
14 otherwise:

15 “Act” means Sections 10.1-1433 through 10.1-1449 of the Code of Virginia.

16 “Board” means the Virginia Waste Management Board.

17 “Department” means the Virginia Department of Environmental Quality.

18 ~~“Council” means the Hazardous Waste Facility Sitting Council established pursuant to §10.1-~~  
19 ~~1433 et seq. of the Code of Virginia.~~

20 “Technical assistance” means aid which enable the governing body of the host community to  
21 better understand and assist the environmental, economic, and social impact of a hazardous

22 waste facility at a particular site. "Technical assistance" does not include legal services or  
23 services of a negotiator as such.

24 **Part II - Availability**

25 **9VAC20-30-40. Technical assistance fund.**

26 Money from the technical assistance fund, established by §10.1-1448 of the Code of Virginia,  
27 shall be available to each host community. This money may be used only to provide the  
28 governing body of the host community with technical assistance, as defined elsewhere in this  
29 chapter. Funds will be made available when the local government is the applicant or when an  
30 applicant represents the host community.

31 **9VAC20-30-50. Amount of allocation.**

32 The ~~council~~board shall make available to the host community up to \$50,000 per proposed  
33 facility.

34 **Part III - Application for Funds**

35 **9VAC20-30-60. Time frame.**

36 At any time between receipt of the notice of intent and the due date of the report of the governing  
37 body on the siting agreement negotiations, the host community may request an allocation from  
38 the technical assistance fund.

39 **9VAC20-30-70. Form and manner of request for allocation.**

40 The host community's request for an allocation from the technical assistance fund shall be  
41 adopted by the governing body. The request shall be sent to the ~~council~~board by registered mail  
42 or by other means requiring receipt for delivery.

43 **9VAC20-30-80. Content of request.**

44 A. The ~~council~~board shall evaluate the request for funding within 30 days of receipt of the  
45 request. The ~~council~~board shall notify the host community of the date, time, and location of the  
46 meeting to consider the request. A representative of the host community may make an oral  
47 presentation at the meeting.

48 B. The request must contain the following information:

49 1. A cover letter providing background information and a brief summary of the request;

50 2. A detailed breakdown of the manner in which the funds are to be spent;

51 3. A description of the technical assistance desired and the reasons it is necessary, including  
52 complexity or uniqueness of local government needs with respect to the proposed facility and  
53 staff requirements;

54 4. A detailed breakdown of each aspect of the technical assistance desired and the cost for each  
55 aspect; and

56 5. Any other relevant information or supporting documents the host community wishes to  
57 include.

58 C. Within 30 days of the meeting described in this section, the ~~council~~board shall determine  
59 what funds, if any, shall be distributed to the host community for technical assistance.

60 **9VAC20-30-90. Contract.**

61 Upon approval of the request, the ~~executive~~ director shall promptly send to the host community a  
62 contract based on the model provided in Appendix I for the distribution of funds to localities.

63 The contract must be approved and executed by the governing body of the host community and

64 returned to the ~~council~~board.

65 **Part IV - Accountability**

66 **9VAC20-30-100. Unused moneys.**

67 Any money awarded to a host community from the technical assistance fund which is not spent  
68 shall be returned to the ~~council~~board within 60 days of the date of completed contract work.

69 **9VAC20-30-110. Accounting of moneys spent.**

70 Within 60 days of the date of the completed contract work, the governing body of the host  
71 community shall provide the ~~council~~board with a certified accounting statement of all moneys  
72 expended from the technical assistance fund.

73 **9VAC20-30-120. Misused moneys.**

74 In the event the ~~council~~board learns that moneys awarded to a host community from the  
75 technical assistance fund have not been spent on technical assistance, the ~~council~~board shall take  
76 any action it deems necessary to recover the misused moneys.

77 **Part V - Delegations**

78 **9VAC20-30-130. Delegations.**

79 The director may perform any act of the board provided under this chapter, except as limited by  
80 Sections 10.1-1433 through 10.1-1449 of the Code of Virginia.

81 **APPENDIX I. TECHNICAL ASSISTANCE FUND GRANT**

82 In response to the Code of Virginia, Title 10.1, Chapter 14 (§10.1-1433 et seq.), the ~~Virginia~~  
83 ~~Hazardous Waste Facilities Siting Council~~Virginia Waste Management Board (the ~~council~~  
84 board) shall make available to the governing body of a host community a reasonable sum of

85 money from the technical assistance fund. (The host community) is this day receiving the sum of  
86 \$\_\_\_ from the technical assistance fund.

87 The host community agrees to take the grant subject to all the requirements and restrictions  
88 imposed by the Act and by the regulation of the ~~council~~board regarding the technical assistance  
89 fund and to use the grant only to provide itself with technical assistance as defined in those  
90 chapters.

91 The host community agrees to return to the ~~council~~board any unused moneys from the grant  
92 along with a certified accounting statement of all moneys expended from the grant, within 60  
93 days of the date of the completed contract work. The host community acknowledges its liability  
94 for any moneys from the grant which the ~~council~~board finds have not been spent on technical  
95 assistance.

96

97 Certified True and Accurate: \_\_\_\_\_  
98 Robert G. Burnley, Director, DEQ

99

100 Date: \_\_\_\_\_

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